IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1372 OF 2004

Darshana Manoj Nigam ..Petitioner

Vs.

Narayan Singh & Ors. ..Respondents

Mr.R.V.Govilkar Advocate for Petitioner
Mr.D.P.Adsule, A.P.P. for the State

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 20, 2005

P.C.

1. Heard the learned advocate for the petitioner and the learned A.P.P. for the State.

2. The petitioner is seeking quashing of process issued under Section 138 r.w. 141 of Negotiable Instruments Act. The said process was issued in C.C No. 118/S/2003 by the learned Metropolitan Magistrate 18th Court, Girgaon, Mumbai.

3. For the reasons recorded in my order dated 8th June, 2005 in Cri.Application No. 645 of 2005 and

order dated 13th June, 2005 in W.P.No. 213 of 2005, in my view, it is clear that the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer the necessary revision before the concerned Sessions Court. The petitioner being lady, is granted exemption from personal appearance before the trial Court for a period of three weeks from today.

5. On the necessary revision being preferred by the applicant before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Writ Petition is disposed of.

[V.K.TAHILRAMANI,J.]